

GP 231

AMENDMENT TRANSMITTAL LETTER (Small Entity)			Docket No. Burst-3-CIP2		
Applicant(s): Mark O. Worthington					
Serial No. 09/421,870	Filing Date 10/26/99	Examiner Marschel, Ardin H.	Group Art Unit 1631		
Invention: Trackable Optical Disc with Concurrently Readable Nonoperational Structures					
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
<input checked="" type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.					
<input type="checkbox"/> A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	111 -	211 =	0 x	\$9.00	\$0.00
INDEP. CLAIMS	14 -	31 =	0 x	\$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____					
A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 501,034					
A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.					
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
Signature Ronald J. Clark Reg. No. 21,058 Attorney for Applicant			Dated: November 4, 2002 RJC		
RECEIVED NOV 10 2002 TECH CENTER 1800/2800			<div style="border:1px solid black; padding:5px;">I certify that this document and fee is being deposited on 11/04/2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231. Ronald J. Clark Signature of Person Mailing Correspondence Ronald J. Clark Typed or Printed Name of Person Mailing Correspondence</div>		
cc: copy #2					



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO: 09/421.870
FILING DATE: 10/26/1999
FIRST NAMED INVENTOR: MARK O.WORTHINGTON
ATTORNEY DOCKET NO: BURST-3-CIP2
EXAMINER: MARSCHEL, ARDIN H.
ART UNIT: 1631

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Hon. Commissioner of Patents:

Responsive to the office action mailed 05/15/2002, Applicant's Attorney respectfully requests a five (5) extension of time to expire on 11/15/02. A petition for such extension and the required fee is enclosed/attached. An affidavit for a Small Business entity is also attached.

Applicant elects the Group 1 claims consisting of Claims 1-62, 67-74, 78-82, 153-203, and 209-211 for prosecution in this case. Furthermore, Applicant elects the Specie A: Optical disc limitations have structure without an analyte-specific signal element required therein.

Applicant identifies for the attention of the Examiner the following Sub Groups contained within the elected Group 1, Specie A claims identified above. Further restriction might be necessary as claim development continues.

- A) Sub Group A- Optical Disc with a nonoperational structure that is a non-analyte. Claims 1-12, 35-37 and 47;
- B) Sub Group B- Optical Disc having a reflective layer and a nonoperational structure that is a non-analyte. Claims 19-21 and 176;
- C) Sub Group C- Optical Disc having a light transmissible coating and a nonoperational structure that is a non-analyte. Claims 34 and 51;
- D) Sub Group D- Optical Disc with a nonoperational structure that is a non-analyte in combination with a single optical pickup. Claims 19-21, 22, 26-28 and 50;
- E) Sub Group E- Optical Disc with a nonoperational structure that is a non-analyte in combination with a single optical pickup and at least one player characteristic. Claims 29-32;
- F) Sub Group F- Optical Disc with a nonoperational structure that is a non-analyte in combination with a single optical pickup that gives at

least one signal that is a quantitative measure of the size of the nonoperational structure. Claim 33;

- G) Sub Group G- Optical Disc with a nonoperational structure that is a non-analyte in combination with a cover. Claims 38-48 and 156-161;
- H) Sub Group H- Optical Disc having two reflective layers and a nonoperational structure that is a non-analyte. Claims 49,51-60; and
- I) Sub Group I- Optical Disc with a nonoperational structure that is a non-analyte in combination with a player. Claims 61,62 and 78-82.

Applicant respectfully requests that the requirement for formal drawings be delayed until the allowance of claims has been given.

Respectfully submitter,

Ronald J. Clark

11/04/2008

Ronald J. Clark

Attorney for Applicant Reg. No. 21,058